

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO. 2621 of 2007.
IN
FIRST APPEAL NO. 1041 OF 2004.

Office notes, office
memoranda of Coram,
appearances, Court's Court's or Judge's orders.
orders or directions
and Registrar's orders.

Shri Yadunath Chaudhary for the Applicant.

Ms.Nisha Dabhade for the Respondent-BMC.

CORAM : ABHAY S.OKA, J.

DATED : 5th October, 2007.

P.C.:

1. Heard the learned Advocate for the Applicant and the Advocate for Respondent No.8.

2. Prayer (a) of this Application is for modification of the interim order dated 5th July 2004 for permitting the Applicant to put up construction in a part of the stilt area as per the approved plan. Considering the findings recorded by the trial Court and the decree passed by the trial Court, such a relief cannot be granted during the pendency of the Appeal. Prayer (b) is for extension of time to execute conveyance. Extension of time for six months deserves to be granted.

3. Hence the Application is disposed of by the following order:

i) Prayer (a) is rejected.

ii) Time for execution of the conveyance is extended by a period of six months from today.

iii) Civil Application is disposed of.

Judge.